

# FISCAL NOTE

**Bill #:** SB0381 **Title:** Arbitration for dispute under streambed and land preservation act optional

**Primary Sponsor:** Keenan, B **Status:** As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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## Fiscal Summary

	<b>FY 2004 <u>Difference</u></b>	<b>FY 2005 <u>Difference</u></b>
<b>Expenditures:</b>	\$0	\$0
<b>Revenue:</b>	\$0	\$0
<b>Net Impact on General Fund Balance:</b>	\$0	\$0

- |   |  |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact    | <input type="checkbox"/> Technical Concerns            |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached  | <input type="checkbox"/> Needs to be included in HB 2  |

## Fiscal Analysis

### ASSUMPTIONS:

#### **Department of Fish, Wildlife and Parks**

1. FWP has not been involved in many arbitrations (one in the last three years)
2. When FWP has been involved in arbitration, duties and responsibilities have been assigned to existing staff with the appropriate level of priority.
3. The commitment of time to prepare and follow through with arbitration is equivalent to what will be involved with District Court and will be incorporated in existing budgets.

#### **Department of Natural Resources and Conservation**

4. There are 20 cases a year that go through the arbitration process in the various conservation districts around the state and 10 of those 20 cases may go to court.
5. Each case takes 10 hours of legal counsel at \$100 per hour for \$1,000 per case. The county attorney will be the attorney of record to represent conservation districts. Work done by other experts (engineers or hydrologists etc.), conservation district staff and county attorney staff may increase the costs up to \$10,000 per case.
6. The cost of these court activities will be funded out of the current conservation district revenues and/or the county attorney who represents the conservation districts.